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Written questions about an Indonesian offensive on East Timor (20th Oct. 1981)
by Fred van der Spek (PSP)

1. Has the minister noticed recent reports about a large scale military offensive by Indonesia on East Timor?
2. Has the minister any information about the use of weapons, delivered by the Netherlands to Indonesia, in this offensive?
3. Is the minister willing to make a protest at the Indonesian government against this offensive?
4. Has the minister been informed that the Indonesian government recently started to force East Timorese men between 15 and 50 years old to do military handwork for the Indonesian occupation forces on East-Timor, the so called Pasukan Bantuan Operasi as part of Operasi Keamanan? Shares the minister the opinion that this forced military labour has to be strongly condemned?
5. Has the minister been informed that according to Church sources hundreds of East Timorese men, especially teachers and government employees, have been put in eight special prisons this year? Is the minister willing to make known his diapproval of these measures to the Indonesian government? Is the minister also willing to help to encourage an independent investigation by Amnesty International or other human rights organisations on the situation of prisoners in East Timor about whom great concern-araising articles regularly appear in the world press?
6. Shares the minister the opinion that the military offensive mentioned in question 1 and the situations mentioned in questions 4 and 5 prove that struggle and resistance of the East-Timorese population against the Indonesian oppression and the military enforced annexation of East Timor by Indonesia still continue?
7. Can the minister make known if, and if so, how food and medical help is being given to the East Timorese population, there the ICRC and the American CRS have ended their programs? Which are the guarantees that Indonesia itself is giving enough help? Sees the minister possibilities for the Netherlands to start a new humanitarian program for East-Timor?
8. Has the minister been informed about the verdict of the 10 judges of the PPT(that took place from 19th to 21th june in Lisbon): Fretilin is the only legitimate representative of the Maubere people; The democratic Republic of East Timor has been declared to exist lawfully and factually by Fretilin the 28th of November 1975 and is still existing but being hindered to function;By the Indonesian invasion of East Timor in december 1975, the incorporation of this country and the oppression of its people Indonesia is guilty of agression, of crimes against peace and human rights? What is the judgment of the minister on this verdict in its content as well as

in its juridical force?

9. Can the minister make more clear what precisely has to be understood , according to international law, with the term 'souvereignty' as has been used in answers to formerly put questions (See, Jill, Timor News Letter Vol. 1, nr. 7). Has to be understood from that answer that East Timor according to the minister no longer is part of Portugal in terms of international law and so has to be either a souverein state or has fallen under the souvereignty of another state not being Portugal? Are being made, by issuing Portugese passports by the Dutch embassy in Djakarta to East Timorese refugees distinction: between those born before 28th Nov. 1975, betwee 18th Nov. 1975 and 7th Dec. 1975 and after 7th Dec. 1975?

Answers given by Van der Stoel (minister of Foreign Affairs) (received 17th dec. 1981)

1. Yes.

2. Indonesia officially denied that in military actions on East Timor weapons delivered by The Netherlands have been used.

3. Her Majestic Embassador in Djakarta has informed om my instruction the Indonesian authorities that the Dutch government regrets the military operations in East Timor.

4. Indonesia officially denied that East Timorese citizens would have been force to do military services in the so called Pasukan Bantuan Operasi. Only persons would have been taken in service who form part of the civil guard (Hansip) which all over in Indonesia has the duty to keep safe the local surroundings and which also comes into action on the occasion of natural disasters.

Besides, in connection with this and other questions has tho be remarked that no good inpression of the situation in East Timor can be formed as long as foreign observers can go in that region in only a restricted way.

On my side by repetition the importance of such a easy go-in has been brought to the attention of the Indonesian authorities.

5. Also about these arrests there is no clear cut information. On my side there is a preference to have an investigation by an independent international organisation.

6. Even Indonesian authorities do not deny that resistance activities do still continue in East Timor.

7. On the basis of an agreement made recently in april with the Indonesian authorities the International Red Cross continues its humanitarian activities in the form of detecting the living place of persons missed and sending family reports, family reunification, giving food help on a restricted scale and the deliverance of medical infrastructure to the Indonesian Red Cross. It is the intention to continue this program next year. As known this program is backed by my colleague for development cooperation with DFL 1,000,000. Concerning the CRS this organisation is planning the preparation of a three year agrarian program for East Timor with the value of 3.5 US dollars. There is the impression that the Indonesian authorities without foreign help can sustain the control of the food situation and medical services. If there will be made a call for additional help then the government is willing to think positively to answer it.

8. The information is known to me. To the verdict of the PPT no formal force can be given.

The Dutch view on the history of the decolonisation process in East Timor has more than once be exposed in the Second Chamber. Of much importance is the fact accomplished that the former colonisator suddenly and without preparation left the region to its fate. This helped to imply that the decolonisation process could not be smooth which does not mean that the Netherlands do not regret that the population of the region has not had the possibility to exercise the right of selfdetermination. As an encouraging development can be signaled that according to an Indonesian declaration in the framework of the UN the first contacts between Indonesia and Portugal were made which I hope can make more probable a solution of the problem under discussion. Where The Netherlands at a certain time made itself the promoter of the Portugese interests in Indonesia there our country has to move carefully in coping the matter concerned.

9. The answer given was only related to the passport policy of the Portugese authorities and to the Dutch promotion of Portugese interests in Indonesia. On Dutch side only the general lines given by Portugal are followed on the force of which the Dutch embassy exclusively with the prior premission of the Portugese authorities issues passports to persons out o EaST Timor. It would be wrong if the government is responsible to the Second Chamber ~~concerning~~ for matters concerning the Portugese government. It implies, that the answer given not implies a verdict about 'regions which fall under Portugese souvereignty', but that this indication exclusively is being used within the framework of the Portugese general lines.

From: Parliamentary Records (page 1851)

Van der Spek (9th February 1982) (Foreign Affairs FY 1982)
"In East Timor the Indonesian occupation continues, also the death-by-hunger policy and the oppression of the population. It is a pity that in the budget no word is said about it, like there is no word about the situation of the human rights in Indonesia itself. The Govrnment thinks it has to pursue a careful policy. In view of the historical ties of the Netherlands with Indonesia and the fact that the Netherlands promotes the interests of Portugal in Djakarta, the Netherlands has a very good position to pursue an active diplomacy towards Indonesia and Portugal. This diplomacy could lead in the end to the exercise of a real selfdetermination right by the East Timorese population. I would like to have the following resolution introduced:"

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resolution

Chairman: "By member Van der Spek the following resolution is introduced:

The Chamber,
heard the consultations,
having the opinion, that the Netherlands can play a mediating fõle between Indonesia and Portugal in the question of East Timor because of its political and diplomatic tie with Indonesia and Portugal;
request the Government to use its influence to realise a procedural agreement in the question of East Timor between Portugal and Indonesia, which has to lead to a democratic and independent expression by the East Timorese population about the political future of its country,
and changes to the order of the day.

This resolution is sufficiently backed (to be introduced). It gets nr. 41 (17100-V)

From : Parl. Records (page 1947)

Mr van der Stoel (minister of foreign affairs) (10th febr. 1982) (For. Affairs FY 1982
"Mr Chairman, Mr van der Spek has the opinion that the Dutch Government, on the basis of its good relationship with Portugal and Indonasia, in view of the fact, that our country promotes the intersts of Portugal in Indonesia, is in a good position to promote a pocedural agreement, in contact with the two countries, by which the population of East Timor gets the opportunity to exercise its right of selfdetermination.
In my answer of the 17th December 1981 (written) to questions of Mr. van der Spek I already reported that according to an Indonesian declaration in the framework of the UN the first contacts between Portugal and Indonesia have been made in the meantime. Answering him I expressed the hope that these contacts could lead to a coming closer of a solution of the problem East Timor. In this light I do not think it opportune to cross over these developments by the Government. So, I feel little for the resolution of Mr. van der Spek."
Van der Spek: "Not to cross over but to back!"
Van der Stoel: "Executing the resolution of Mr. van der Spek could mean that the possibilities of having a limited rôle are being damged. I prefer not to see this happening."

From: Parl records (16th febr. 1982, page 2051, For. Affairs FY 1982)

Cairman: Resolution 17100-V, nr. 41 of Mr. van der Spek is rejected. Backing: PvdA (social-democrats), PSP, PPR (radical left), CPN (communists), SGP and GPV (two rightist religious parties).

Oral questions on East Timor by Fred van der Spek (PSP)

-Dutch Parliament, Second Chamber, 11th november 1982

Introduction: Chairman, by succeeding governments has been said, and rightfully, that Portugal as a former colonizer of ET has suddenly and unpreparedly left the region to its fate. Portugal is now repairing this serious fault and doing right to the right of selfdetermination of the ET people.
At the moment this is, in view of the actual resolution in the UN, a very important matter for some reasons. First, there is in ET -and this is a permanent situation- big famine, malnutrition, physical neglect of the population and, further, cultural suppression, brutal negation by Indonesia of the possibility of the Maubere people to exist as a people. That is the reason, that there has to be quickly acted. Otherwise, that people won't exist any more.
Secondly, in the succeeding years, lesser countries voted in favor of the ET resolution, introduced every year by Portugal since 1975 because of Indonesian lobbying. If this year the resolution is rejected, will this mean, that ET as an item will be excluded from the UN agenda. An important means to press Indonesia to leave ET will be lost with big harm for the population there.
I have the opinion, that the Netherlands has to vote in favor of the Portuguese resolution for the following reasons. Firstly, this resolution is moderate. Secondly, the Netherlands promotes the interests of Portugal in Indonesia. Thirdly, because the people there enormously suffers under the Indonesian occupation. Fourthly, the Netherlands has to support the Portugese activities in the light of its own position in matters of international law. Fithly, the humanitarian support of the Netherlands for the population and the refugees from ET will totally not be hindered, if the Netherlands is in favor of the resolution. Sixthly, by voting in favor, the Nederlands make a contribution to keep ET on the UN agenda as long as the Indonesian military and political occupation of that island continues.

Questions:

1. When do the votings on the UN ET resolution, recently introduced by Portugal, take place?
2. Does the minister share the opinion, that this resolution, compared with those of other years, is more moderate because Indonesia is in no way attacked?
3. Can the minister share the statement in the resolution, that the ET people must have the opportunity to exercise its right of self determination?
4. What is the opinion of the minister on the suggestion in the resolution, that the UN secr. general is called upon to consult all parties concerned in searching a comprehensive solution of the ET question?
5. Does this mean, according to the minister, that the UN can play an important role in the ET question?
6. Does the minister know, that 18th october Portugese parliament unanimously accepted a resolution, which wishes, that the process of decolonisation is being restarted?
7. Does the minister know, that the Portugese president as well as the Portugese government, on the basis of art. 297 of the reviewed Portugese constitution, are obliged to develop and to guarantee the independence of ET?
8. Does the minister share the opinion, that the promotion by the Netherlands of the interests of Portugal in Indonesia implies, that the Netherlands defends as much and as effective as possible the political position of Portugal, above referred to, in and out the UN frame work and that this defense is not at all in conflict with an humanitarian approach by the Netherlands of the problem of ET refugees, who want to leave ET via Indonesia?
9. Does the minister share the opinion, that the Netherlands, by analogy of the Dutch support of UK in the case of the Falklands/Malvinas conflict, now has to support Portugal in its efforts to reach a diplomatic solution of the ET question?
10. Is the minister prepared, in the fourth Commission of the UN as well as in the General Assembly of the UN, to vote in favor of the Portugese ET resolution and to promote with other means the acceptance of this resolution?

Answer to oral questions by Van Den Broek, minister for foreign Affairs (abbreviated)

Chairman, first question: the resolution will be debated on one of these days in the fourth Commission. Van der Spek is aking for comments on the contents of the resolution. Also during the last three sessions of the Gen. Ass. Indonesia was not attacked. The difference is, that there is less emphasis on the exercise of the right of self determination by the people of ET, but more on the contribution which the UN secr. gen. can give in searching a solution. Then, in the resolution there is no reference to declarations of the non-aligned movement in favor of the right of self determination. And there is no saying, like last year, that Fretilin is a liberation movement.
The present government shares the opinion of the proceding governments, that the Indonesian annexation will not de jure be recognized. The Netherlands shares the opinion, that the ET population didn't have had the opportunity to exercise the right of self determination in accordance with the decolonization declaration of the UN. The Netherlands deplored the sudden way in which Portugal left the region. But the Netherlands does take a restraint position because the Netherlands promotes the interests of Portugal in Djakarta.
Ofcourse, the government hopes, that both parties reach a solution in a mutual agreement on the future state of the island. Concerning the role of the secretary general, if the two parties favor such a role, we welcome such a role.
The resolution of Portugese parliament is known to me.
Mr. van der Spek asks to what extent the role of the Netherlands as a promoter of the interests of Portugal implies, that the Dutch government as strongly as possible also promotes internationally the Portugese standpoint of view. This can not be stated in this way. I have the opinion, that the position of interest promoter -and we are not an intermediair, but a promoter of interests only- can imply, that we have a restraint position and that we have in mind the position of the other party in the conflict to keep open a maximum approach to this party and by this way of acting do promote in the best way the interests of Portugal. The government is ofcourse prepared to deliver messages from one party to the other on request.
Concerning the analogy with the Falklands, the Netherlands was in favor of a resolution, introduced the 4th november by Argentine and other latino countries. UK was against. The Dutch representative called upon UK to start negotiations with Argentine about a diplomatic solution in the spirit of the UN charter. So, I have the opinion, that the Netherlands must continue to abstain from voking on the ET resolution. The government did let it know to the Portugese government, which was not directly pleased, but did be understanding of our standpoint of view.

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Van der Spek: Chairman, some more questions. The minister wrongly interpreted my question (nr. 9) on the Falklands/Malvinas. My question was: didn't the Netherlands support UK in the Malvinas conflict politically, diplomatically and economically (e.g. by sanctions against Argentine)? Does the minister think, that it is Portugal's interest to have its resolution accepted? Doesn't this imply a support of the Portugese standpoint?
Does the minister know, that the Portugese ex prime minister Maria de Lurdes Pintassilgo yesterday (on Dutch TV) spoke of extremely bad situation in ET, especially for a lot of children? Does the minister know, that Maria de Lurdes Pintasilgo has also said on Dutch TV that a positive vote of the Netherlands could persuade other Common Market countries? Does the minister recognize, that a rejection of the resolution implies, that ET will be excluded from the UN agenda with serious consequences for that country? Does the minister want to answer my third question about the right of self determination of the ET people?

Van den Broek: Chairman, concerning the support for UK in the Falklands conflict. Such a support for Portugal is out of order. It concerns Dutch voting in the UN and there are in force UN rules.
Yes, Portugal wants its resolution accepted. That is Portugal's interest. But that is not the problem. The problem is the special position of the Netherlands as a promoter of Portugese interests in Djakarta. And just this position gives us a reason to abstain from voting, like in the past.
If the Netherlands changes its vote, it could persuade other countries. But that is not for sure.
I do not know about the statement of a actual or a former Portugese politician about the children in ET. I received, however, such information in the past. But I want to refer to an article in De Volkskrant (Dutch newspaper) of this morning about a statement of the Australian prime minister Whitlam. He said the situation bettered. I didn't however receive verification if this is true or not.
I do not know if the rejection of the resolution implies that ET will be excluded form the UN agenda. There are other items, which were on the agenda for a much longer time than ET. I do not exclude, that ET will continue to be an item on the agenda, for certain in the frame work of the activities of the decolonization commission. If both parties can accept an intermediate role of the secr. general, then a solution in the frame work of the UN is welcomed by us.
Concerning the right of self determination, like former governments a certain form of the right of self determination has to be given to the ET people.

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Schreuders (Communist Party CPN): Chairman, can I understand from the answers given that the government will not recognize the annexation of ET by Indonesia whatever the fate of the ET resolution?

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Van den Broek: Chairman, like I said before, the Indonesian annexation will not de jure be recognized.

Written questions on military obligations for East Timorese (21th October 82) by Fred van der Spek (PSP)

1. Does the minister know, that also this year East Timorese are being forced to participate with Indonesian troops in military campaigns to fight the guerilla activities of Fretilin?
2. Does the minister recognize, that the Indonesian negation, that this happened last year is not sufficient, because ET refugees recently arrived in Portugal made known, that the forced East Timorese have been sent this year and also last year to all regions in ET (See Timor Newsletter, Vol.II, nr. 1, sept. 82)?
3. Does the minister know, that according to recent news reports about a quarter of the ET population suffers from famine, and that the situation in Baucau, Los Palos and Viqueque looks to be the most serious?
4. Does the minister share the opinion, that this famine is caused by the compulsory participation in the military campaign, as has been recognized by the Indonesian newspaper Kompas?
5. Is the minister prepared to take all efforts to give a contribution to a fast solution of the famine situation in ET and to the compulsory participation in the military campaigns by East Timorese?
6. Is it true, that since april 60 Portugese passports have been issued by the Dutch embassy in Djakarta, that 60 East Timorese have left ET via the Red Cross, and that about 40 East Timorese have illegally left ET?
7. Is it true, that the Dutch embassy in Djakarta does not have a Portugese speaking officer, which caused delays in the issuing of passports?
8. Does the minister it think imprtant, that such an officer will be installed in the embassy?
9. Does the minister share the opinion, that concerning ET one can not only speak of an humanitarian problem, but also of a cultural problem and the problem of surviving as a people, because of the prohibition of teaching and learning tetum, the compulsory learning of bahasa indonesia, the transmigration of Indonesian communities to ET and the continuing heavy suppression of the original ET population, which denies to the ET people a right to an autonomous development?
10. Does the minister know, that Portugal started a small year ago a diplomatic offensive to promote the ET question go obtain international political sympathy and to promote the interests of the ET people (See the special Portugese ambassador for ET questions, the acting of Portugal in UN organisations and toward Portugese speaking countries and the activities of the ET commission of Portugese parliament, which visited already Australia, USA and UK)?
11. Which possibilities does the minister see to support this diplomatic offensive, that is directed against the Indonesian claims on ET, and/or to play a more mediating role between Indonesia and Portugal?
12. Does the minister recognize, that the ET question is not only a question between Portugal and Indonesia, but mainly of the ET people itself and that, in case of negotiations between Indonesia and Portugal, all efforts have to be directed to the creation of the possibility, that the ET people have the opportunity to exercize its right of self determination?
13. Is the minister positive on an eventual appeal to the ICJ by Portugal or Fretilin about the legitimacy of the vote by the ET people, expressed in 1976 under Indonesian control about the annexation?

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Answers given by Van den Broek, minister for foreign affairs (7th January 1983)

1 and 2: Accrding to my information there is no indication that in 1982 East Timorese, not belonging to the national forces, have been forced to participate in an anti

guerilla campaign, as have been the case in 1981.
3 and 4: In so far as I do know the food situation, especially in the east and the south of ET is seriously bad, but there is no famine. According to people, who recently visited ET, the situation is caused by lack of food, to which the regions are vulnerable at the end of the dry season, as well as by a forced evacuation of the inhabitants of a number of villages, by which the fields couldn't be tilled any more and by which the food production fell down. To compensate a threatening lack of food the IRC has asked permission to the Indonesian authorities to transport 1500 tons of maize to the regions.
5. An eventual request for financial support to alleviate the humanitarian suffering will be positively met by me and by my colleague of Development Cooperation. In 1981 and 1982 help has already been given via the IRC (ƒ 750.000) and via UNICEF (ƒ150.000).
6,7 and 8: Concerning the question of issuing passports I like to refer to the rule of international law, that the promoter of the interests (in casus the Netherlands) does not give information on the contents and execution of the interest promotion otherwise than to the promoted nations (in casu Portugal). How many East Timorese left the region illegally is by the way not known to me. Concerning eventual translation problems I can inform, that these do in practise not exist, there practically all tenders of Portugese passports can make themselves understandable in bahasa indonesia.
9. Based on available information I have come to the conclusion, that the identity of the ET people is not threatened. Although there are, on one side, a lot of schools where exclusively Indonesian courses are being given, the alphabetisation program is too given in bahasa indonesia and the population is too encouraged by radio and tv to learn the Indonesian language, utterances of the own identity of the population are on the other side not being suppressed. The catholic schools in ET, where lessons are given in Portugese, do still function, whereas at the seminary in Dili bahasa as well as Portugese are being taught. The catholic churches of which the activities are not being hampered, is allowed to preach the bible in Portugese as well as in tetum, which happens to occur on a large scale. Paid by Indonesian authorities new catholic churches were and are being built. Tribal and Portugese art expressions, e.g. music and dance, are also allowed. Transmigration to ET didn't take place up to now. According to information only next year the Indonesian authorities are planning to migrate Balines tillers to the region to teach 'cash-cropping' to the East Timorese population.
10. Yes.
11 and 12. See my answer the 11th November 1982.
13. The ET resolution, accepted in the 37th session of the General Assembly of the UN, which was, next to other countries, introduced by Portugal, contains a request to the UN secr. general to consult the parties directly concerned in order to look for ways out for a comprehensive solution of the problem. I don't have indications that an appeal to the ICJ is being considered. If that happens, then the Netherlands is in general a supporter of the competency of the ICJ being used as much as possible.

Written
Questions on East Timor (28th January 1983) by Fred van der Spek (PSP)

1. Is it true, that the ambassadors of the Common Market countries in Djakarta have recently made a report on the Indonesian annexation of ET and on the efforts of Indonesia to better the economic and human rights situation in ET?
2. Does this report tell that Indonesia is prepared to accept, that a delegation of Amnesty International can visit ET and also prepared to support the activities of the IRC?
3. If so, which conditions are being made by the Indonesian authorities for this visit and for this support?
4. Is the minister prepared to give this report, under secrecy or not, to the members of parliament? If not, is he prepared to give an extract of the report, containing the most important considerations and advises?
5. Can the minister indicate, what the reasons for Greece and Eire have been to vote in favor of the ET resolution, introduced by Portugal and other countries in the last UN assembly session, and what the reasons of the rest of the Common Market countries have been to abstain from voting?

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Answers given by Van den Broek, minister for foreign affairs (25th February 1983)

1 to 4: The government does not know of such a report. But a mission of the IRC did visit, early 1982, ET with full permission of the Indonesian authorities. My colleague of development cooperation did let it know in his letter to parliament of the 28th may 1982. That the IRC is, by the way, intensively participating in the humanitarian temporary help in ET, is known to parliament. In this frame work representatives of the IRC do regurlaly visit ET.
5. Information can only be given about countries which made a vote declaration. Greece nor Eire did made such a declaration. Of the rest of the Common Market countries only W-Germany, Italy and UK made a declaration to explain their abstentions.
The representative of W-Germany refered to the importance of the right of self determination and declared to be convinced that the living conditions are for the better. He judged, like the Italian representative, positively the call in the the resolution upon the secr. general of the UN to initiate consultations with all parties, directly involved in the conflict.
The representative of UK said, that his country, although it continued its abstention policy, recognized, that the contents of the resolution was more positive than in the past. He expressed his hope, that a better atmosphere was created for a dialogue between Portugal and Indonesia and that a diplomatic solution could be found according to the wishes and the interests of the ET people.

Written questions on the right of self determination of the

East Timorese people (10th February 1983) by Fred van der Spek (PSP)

1. Will there be a voting next week in Geneva on a resolution concerning the right of self determination of the East Timorese people (next to that of the Afghanese and that of the Cambodian), which has been accepted last year during the 38th session of the UN-commission for Human Rights?
2. Does the minister remember his statement (on the 11th november 1982, zee "oral questions"), that a certain form of self determination has to be given to the people of ET"?
3. Is the government prepared, in according with this statement, to vote in favor of this resolution?
4. Is the government prepared to contribute to this right of self determination really being exercized, if the resolution is accepted?

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Answers given by van den Broek, minister for foreign affairs (9th March 1983)

1. The voting has in the meantime taken place. The result is: 16 votes in favor, 14 against and 10 abstentions.
2. Yes.
3. The government abstained from voring.
4. As known from my answers on the 11th november 1982 the Dutch position is characterized by restraint and that in mainly in connection with the promotion of the Portugese interests in Indonesia.